

Surface Mining Reclamation and Enforcement, Interior

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determined to be necessary to keep this Agreement in force, DNR shall request necessary State legislative action and each party shall change or revise its regulations or promulgate new regulations, as applicable. Such changes shall be made under the procedures of 30 CFR Part 732 for changes to the approved State program and sections 501 and 523 of the Federal Act for changes to the Federal lands program.

B. *Copies of Changes:* The State and OSM shall provide each other with copies of any changes to their respective laws, rules, regulations, and standards pertaining to the enforcement and administration of this Agreement.

ARTICLE XIV: CHANGES IN PERSONNEL AND ORGANIZATION

DNR and the Secretary shall, consistent with 30 CFR Part 745, advise each other of changes in the organization, structure, functions, duties, and funds of the offices, departments, divisions, and persons within their organizations which could affect administration and enforcement of this Agreement. Each shall promptly advise the other in writing of changes in key personnel, including the head of a department or division, or changes in the functions or duties of persons occupying the principal offices within the structure of the program. DNR and OSM shall advise each other in writing of changes in the location of offices, addresses, telephone numbers, and changes in the names, location and telephone numbers of their respective mine inspectors and the area within the State for which such inspectors are responsible.

ARTICLE XV: RESERVATION OF RIGHTS

In accordance with 30 CFR 745.13, this Agreement shall not be construed as waiving or preventing the assertion of any rights that have not been expressly addressed in this Agreement that the State or the Secretary may have under other laws or regulations.

(Pub. L. 95-87 (30 U.S.C. 1201 *et seq.*))

Dated: February 16, 1984.

William Clark,
Secretary of the Interior.

Dated: February 24, 1984.

John D. Rockefeller IV,
Governor of West Virginia.

[49 FR 8917, Mar. 9, 1984]

PART 950—WYOMING

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AUTHORITY: 30 U.S.C. 1201 *et seq.*

§ 950.1 Scope.

This part contains all rules applicable only within the State of Wyoming which have been adopted under the Surface Mining Control and Reclamation Act of 1977.

(Sec. 503, Pub. L. 95-87 (30 U.S.C. 1253))

[45 FR 78684, Nov. 26, 1980]

§ 950.10 State regulatory program approval.

The Wyoming permanent program as submitted on August 15, 1979 and as revised on October 23, 1979 and May 30, 1980, is approved effective November 26, 1980. Copies of the approved program are available at:

(a) Office of Surface Mining Reclamation and Enforcement, Casper Field Office, 100 East B Street, room 2128, Casper, Wyoming 82601-1918, Telephone: (307) 261-5776.

(b) Wyoming Department of Environmental Quality, Land Quality Division, Herschler Building, 122 West 25th Street, Cheyenne, Wyoming 82002, Telephone: (307) 777-7756.

[56 FR 3219, Jan. 29, 1991]

§ 950.12 State program provisions and amendments not approved.

(a) The following provisions of the Rules and Regulations of the Land Quality Division of the Wyoming Department of Environmental Quality, as submitted on May 1, 1986, are hereby disapproved:

(1) The phrases "run-of-the-mine" and "to separate the coal from its impurities" within the definition of "coal preparation plant" at Chapter I, section 2(m);

(2) [Reserved]

(3) Deletion of the requirement at Chapter II, section 3(a)(vi)(H)(II)(3) to

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collect baseline surface water data on acidity;

(4) Deletion of the locational data requirements for monitoring stations at Chapter II, section 3(a)(vi)(M);

(5) [Reserved]

(6) Replacement of the word “is” with the phrase “the vegetative cover and total ground cover are” in Chapter IV, section 2(d)(vi);

(7) Addition of the phrase “or an alternative success standard approved by the Administrator” to Chapter IV, section 2(d)(vi);

(8)–(9) [Reserved]

(10) All revisions to Chapter IV, section 3(a)(ix) concerning cut-and-fill terraces;

(11) Addition of section 1(a)(ii)(C), section 2(c), and section 3 to Chapter IX, which would have provided a general variance from the approximate original requirements; and

(12) All revisions to Chapter XVII, which would have introduced a new enforcement scheme.

(b) The following provision of the Rules and Regulations of the Land

Quality Division of the Wyoming Department of Environmental Quality, as submitted on December 13, 1985, is hereby disapproved: Addition of section 1(b)(iii) to Chapter XII which would have allowed personal property other than allowed by 30 CFR 800.5 (cash accounts, negotiable bonds, certificates of deposit, and letters of credit) to be posted as collateral bond.

[51 FR 42218, Nov. 24, 1986, as amended at 52 FR 16847, May 6, 1987; 57 FR 48991, Oct. 29, 1992; 59 FR 14753, Mar. 30, 1994; 68 FR 62523, Nov. 5, 2003]

§ 950.15 Approval of Wyoming regulatory program amendments.

The following is a list of the dates amendments were submitted to OSM, the dates when the Director's decision approving all, or portions of these amendments, were published in the FEDERAL REGISTER and the State citations or a brief description of each amendment. The amendments in this table are listed in order of the date of final publication in the FEDERAL REGISTER.

Original amendment submission date	Date of final publication	Citation/description
March 26, 1981, April 8, 1981.	February 18, 1982 ..	LQD Rules, Ch I, § 2(14) defining “complete application;” Ch II, §§ 1.c., 2.a.(1)(f)(ii), 3.a(6)(b)(iii), (d)(ii); Ch IV, §§ 2.c.(2)(a), 2.d.(6), 3.p.(1)(a); sworn applicant statement regarding reclamation fees payment.
May 26, 1982	September 27, 1982	LQD Rules, Ch I, § 2(99).
March 3, 8 and 21, 1983.	November 9, 1983 ..	W.S. 35–11–103(e) (xxii), (xxiii) defining “complete application,” “deficiency” in permit applications, “interim mine stabilization;” W.S. 35–11–401(n), 406(h); LQD Rules, Ch I, § 2; Ch XIII, § 2; Ch XVI, §§ 1 through 6.
June 25, 1984	February 28, 1985 ..	LQD Rules, Ch IV, §§ 1, 2; Ch XII, §§ 1 through 7; Ch XVII, §§ 1 through 3.
September 21, 1984	December 3, 1985 ..	LQD Rules, Ch I, § 2; Ch XIII.
October 12, 1984	December 13, 1985	LQD Rules, Ch VI, § 6.
June 19, 1985	January 2, 1986	LQD Rules, Ch X, and accompanying Appendix A.
June 10, 1985	March 31, 1986	LQD Rules, Ch II, § 3; Ch III, § 2; Ch V, §§ 1, 6, 7; Ch VI, §§ 2 through 5; Ch VII, §§ 1 through 4; Ch XI, §§ 1 through 4, 6; Ch XVI, §§ 1 through 5; Ch XVIII, §§ 1 through 5.
May 1, 1986	November 24, 1986	LQD Rules, Chs I, II, III, IV, IX, XII, XIV, XXIII; Appendix A, “Vegetation Sampling Methods and Reclamation Success Standards for Surface Coal Mining Operations”.
December 13, 1985 ..	May 6, 1987	LQD Rules, Ch XII, “Self-Bonding Program”.
March 31, 1989	July 25, 1990	LQD Rules, Ch I, § 2; Ch II, §§ 2, 3; Ch IV, §§ 2, 3; Ch V, §§ 2, 6, 7; Ch VI, §§ 3, 4; Ch VII, §§ 1, 4; Ch IX, §§ 1, 2, 3; Ch XI, §§ 1, 3; Ch XII, §§ 1 through 4, 6; Ch XIII, § 1; Ch XIV, §§ 1, 2; Ch XVI, §§ 1, 3, 4; Ch XVII, §§ 1, 2; Ch XVIII, §§ 1, 3.
May 1, 1986	January 29, 1991 ...	LQD Rules, Ch IV, §§ 3(h)(iii)(A), (B); Ch VI, § 3(c)(ii)(C)(I).
March 21, 1991	July 8, 1992	W.S. Article 1, subsection 35–11–103(e) (xxvi), (xxvii); Article 4, subsection 35–11–402(b).
June 24, 1991	October 29, 1992 ...	W.S. 35–11–103(d)(ii)(D); LQD Rules, Ch I, § 2(br), (ba), 3(b)(i); Ch II, §§ 3(a)(vi)(E), (M), (b)(xvi)(D), (xx), (v)(C); Ch IV, §§ 3(d)(vii), (e)(i)(H); Ch XI, § 2(b)(iv); Ch XII, § 1(a); Ch XIII, § 1(a)(v)(A); Ch XXI, § 3(b)(vii), (x).
March 19, 1993	August 23, 1993	W.S. 35–11–406(h), (j).
July 8, 1992	October 7, 1993	LQD Rules, Ch II, § 3(b)(iv)(B); Ch IV, § 3(o)(iv); Appendix B, “Wildlife Monitoring Requirements for Surface Coal Mining Operations”.
July 24, 1992	November 2, 1993 ..	LQD Rules, Ch I, § 2(e); Ch II, § 3(a)(i)(D); Ch XIV, §§ 2(b)(i), 6(a).
August 18, 1982, March 9, 1993.	January 24, 1994 ...	W.S. 35–11–437(f); LQD Rules, Ch I, § 2(cv) defining “toxic materials;” Ch II, § 7; Ch V pertaining to the award of costs and expenses in administrative proceedings; Ch VI pertaining to informal review by the Director.